

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSHUA A. DICKENS,

Plaintiff,

v.

NAPHCARE, et al.,

Defendants.

CASE NO. 3:23-CV-5934-DGE-DWC

ORDER STRIKING UNSIGNED  
PLEADING

The District Court has referred this action filed under 42 U.S.C. § 1983 to United States Magistrate Judge David W. Christel. On November 17, 2023, the Court screened Plaintiff Joshua Dickens's proposed complaint (Dkt. 1-2) pursuant to 28 U.S.C § 1915A. Dkt. 8. As part of that screening, the Court found Plaintiff had failed to state a claim and granted him leave to file an amended complaint by December 18, 2023. *Id.* On December 22, 2023, the Court received Plaintiff's amended complaint, which was not signed or dated. Dkt. 9. That same day, the Clerk of Court sent Plaintiff a Notice of Filing Deficiency, informing him that he needed to sign his amended complaint. Dkt. 10.

Rule 11 of the Federal Rules of Civil Procedure states:

1 Every pleading, written motion, and other paper must be signed...by a party  
2 personally if the party is unrepresented. The paper must state the signer's address,  
3 e-mail address, and telephone number. Unless a rule or statute specifically states  
4 otherwise, a pleading need not be verified or accompanied by an affidavit. **The**  
5 **court must strike an unsigned paper unless the omission is promptly corrected**  
6 **after being called to the...party's attention.**

7 Fed. R. Civ. P. 11(a) (emphasis added). Thirty days have passed since Plaintiff was alerted to his  
8 filing deficiency, and he has not provided the Court with a signed version of his amended  
9 complaint. Because Plaintiff has failed to promptly correct the lack of signature on his amended  
10 complaint, the Court must strike the unsigned pleading.

11 Accordingly, Plaintiff's amended complaint (Dkt. 9) is stricken pursuant to Rule 11 of  
12 the Federal Rules of Civil Procedure. In addition, Plaintiff is ordered to file a corrected amended  
13 complaint. If Plaintiff fails to file an amended complaint by February 21, 2024, the undersigned  
14 will recommend dismissal of this action without prejudice.

15 Dated this 23rd day of January, 2024.

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David W. Christel  
Chief United States Magistrate Judge